

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND)	
COMPOUNDING PHARMACY, INC.)	MDL No. 2419
PRODUCTS LIABILITY LITIGATION)	Dkt. No. 1:13-md-2419-RWZ
_____)	
)	
This Document Relates to:)	
)	
All Cases)	
_____)	

**Tennessee Clinic Defendants' Notice of Withdrawal of
Motion for Leave to File Supplemental Brief [Dkt. 1033]**

Saint Thomas Outpatient Neurosurgical Center, LLC; Howell Allen Clinic, a Professional Corporation; John W. Culclasure, MD; Debra V. Schamberg, RN; Specialty Surgery Center, Crossville, PLLC; Kenneth R. Lister, MD; and Kenneth Lister, MD, PC (collectively "the Tennessee Clinic Defendants") hereby file this *Notice of Withdrawal of Motion for Leave to File Supplemental Brief [Dkt. 1033]*.

These Defendants state:

1. The Tennessee Clinic Defendants filed their Global Motion to Dismiss and Memorandum in Support on January 10, 2014, at Dkts. 771, 772.
2. The PSC filed an amendment to the Master Complaint on January 31, 2014, at Dkt. 832, adding new allegations in support of the Plaintiffs' claim for civil conspiracy.

3. The Tennessee Clinic Defendants filed their Motion for Permission to Supplement the Tennessee Defendants' Memorandum in Support of Their Motion to Dismiss Global Claims on March 21, 2014, requesting leave to supplement their Memorandum in Support to address the PSC's January 31, 2014, amendment to the Master Complaint. This Motion is at Dkt. 1033.

4. The PSC filed their Response to these Defendants' Global Motion to Dismiss on March 28, 2014, at Dkt. 1040.

5. The Tennessee Clinic Defendants' Reply to the PSC's Response to these Defendants' Global Motion to Dismiss is due on May 7, 2014, per the agreed-upon and Court-approved briefing schedule at Dkt. 884.

6. The Tennessee Clinic Defendants hereby *withdraw* their Motion at Dkt. 1033 to file a brief supplementing the previous Memorandum in Support. The Tennessee Clinic Defendants will address any outstanding issues in their Reply brief due May 7, 2014.

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

/s/ Chris J. Tardio

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 8th day of April, 2014.

/s/ Chris J. Tardio

Chris J. Tardio

¹ Admitted pursuant to MDL Order No. 1.

² Admitted *pro hac vice*.